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B I L L

TO

Amend the Acts relating to the Royal Irish Constabulary,
and to make provision for the appointment of a Watch
Committee in Belfast, and for other purposes in relation
thereto.

A.D. 1887.

BE it enacted by the Queen's most Excellent Majesty, by and
with the advice and consent of the Lords Spiritual and Temporal,
and Commons, in this present Parliament assembled, and by the
authority of the same, as follows :

- 5 1. It shall be lawful for the Lord Lieutenant from time to time
to appoint a fit and proper person, or, if he thinks it necessary, two
such persons, to be a police magistrate or police magistrates for
the borough of Belfast. A person appointed shall be a practising
barrister of not less than seven years standing at the bar, and shall
10 hold office during the pleasure of the Lord Lieutenant.

Appoint-
ment of
police
magistrates.

He shall by virtue of his office be a justice of the peace for the
borough.

- There shall be paid to him such yearly salary as the Treasury
may determine. *One fourth* of such salary shall be paid by the
15 Town Council of Belfast out of the general purposes rate. *The*
remaining three fourths shall be paid out of money to be provided
by Parliament.

- From and after the appointment of a police magistrate for the
borough of Belfast, no justice of the peace, other than a police
20 magistrate, shall exercise in the borough any of the jurisdiction of
a justice, except such as may by law be exercised by any one justice
out of petty sessions.

- Any police magistrate appointed to act in the borough of
Belfast shall have full power to do alone any thing which is
25 authorised by any statute passed or to be passed to be done by
any one or more justices of the peace; and all statutes referring
to a court of summary jurisdiction (whether they prescribe that
such court shall consist of not less than a specified number of

[Bill 291.]

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A.D. 1867. justices or not) shall, in their application to the borough of Belfast, be taken to refer to a police magistrate appointed to act in that borough: Provided, that nothing contained in this section shall be construed to prevent two police magistrates from sitting and acting together in Belfast. 5

Constabulary force in Belfast. 28 & 29 Vict. c. 70. 2.—(1.) Section four of the Constabulary (Ireland) Amendment Act, 1885, so far as it enacts that the Lord Lieutenant may add to the constabulary force allotted to the town of Belfast any number not exceeding three hundred and twenty, shall be amended by substituting four hundred for that number, and section eight of the same Act, relating to the night watch, shall be amended by substituting the number two hundred and sixty-six for the number one hundred and fifty therein specified. 10

48 & 49 Vict. c. 12. (2.) Notwithstanding that the period fixed by the Constabulary (Ireland) Redistribution Act, 1885, for altering the constabulary force allotted as a free quota to each county, city, and town has not arrived, it shall be lawful for the Lord Lieutenant within three months after the passing of *this Act* to assign as the free quota for the town of Belfast such a force, not exceeding four hundred men, as he thinks necessary; and for that purpose he may exercise the power of distribution conferred on him by the Constabulary (Ireland) Redistribution Act, 1885, as if one of the triennial periods referred to in that Act expired within such three months. The force so assigned shall be the free quota for Belfast until the next redistribution takes place under the said Constabulary (Ireland) Redistribution Act, 1885. 15 20 25

The exercise by the Lord Lieutenant of the power conferred by this section shall not prevent him from again exercising the power of distribution conferred on him by the said Act at the same time as he might have done if this section had not been passed. 30

(3.) After the passing of *this Act* the inspector of constabulary for the town of Belfast shall be styled "the Commissioner of Police for Belfast."

Establishment of Watch Committee. 3. A Watch Committee shall be established in the borough of Belfast for the purposes of this Act. 35

The Watch Committee shall consist of nominated members and of ex-officio members as herein-after provided.

The nominated members shall be annually nominated as follows; that is to say, four members shall be nominated by the Lord Lieutenant, three by the justices of the peace of the borough, and 40 two by the town council.

The mayor of Belfast for the time being, and the general officer for the time being commanding the district, shall be the ex-officio members of the Watch Committee. A.D. 1887.

A person shall not be qualified to be nominated by the justices or the town council unless he is a justice of the peace.

The nominated members of the Watch Committee shall be nominated in the month of *January* in each year, after the year *one thousand eight hundred and eighty-seven*, on a day or days to be fixed by the person or persons having the nomination. A casual vacancy caused by death, resignation, or otherwise may be filled up at any time by the person or body who nominated the member dying or resigning or otherwise ceasing to be a member.

A person nominated to fill a casual vacancy shall hold office only so long as the person in whose place he is nominated would have been entitled to hold office.

Three members of the Watch Committee shall constitute a quorum.

The Watch Committee shall annually select from amongst themselves a chairman and vice-chairman; and may make rules for their meetings, and for the conduct of their business.

The Town Council shall permit the Watch Committee to make use of some suitable room in the town hall for performing their duties under this Act.

The Watch Committee may appoint the clerk of petty sessions of the district of Belfast for the time being, if he is willing to serve, to be their clerk; if he is not willing to serve, they may appoint some other suitable person to be their clerk. The clerk to the Watch Committee shall be paid such salary as may be agreed on between the Watch Committee and the town council of Belfast, or in default of agreement as may be determined by the Lord Lieutenant, out of any rate or fund applicable, as herein-after provided, to the purposes of this Act.

It shall be the duty of the Watch Committee to inform themselves as to all matters concerning crime, and the arrangements for the detection and prevention of crime, in the borough; and in particular with reference to riots, unlawful assemblies, and breaches of the public peace; and in order to assist the Watch Committee as to the making of orders and regulations as hereinafter enacted, reports may be made to them from time to time by the Commissioner of Police for Belfast.

Any order or regulation of the Watch Committee made as herein-after provided may be signed by their clerk. A copy of any order [291.] A 2

A.D. 1887. or regulation, signed and certified by the clerk of the Watch Committee to be a true copy, shall be evidence in all proceedings of the due making and of the contents of such order or regulation. Orders and regulations of the Watch Committee shall be published or circulated in such manner as they may from time to time direct. 5

Riots.
Closing of
licensed
houses.

4.—(1.) The Watch Committee may from time to time, by order in writing of which public notice shall be given and published, prohibit any public procession or other meeting in the borough which they have reason to believe to be dangerous to the public peace or the public safety. A copy of such order shall, besides being published or circulated as the Watch Committee may direct, be forthwith served if possible on the promoters of such procession or meeting. 10

When a procession or meeting is prohibited, any persons who meet or assemble together and who do not disperse forthwith within a reasonable time after a constable has notified aloud that such meeting or procession is prohibited, and has required the persons assembled to disperse, shall be guilty of an offence against this Act. 15

(2.) The Watch Committee may, whenever any riot or tumult takes place or is apprehended, order that all or any persons in the borough licensed under the Acts relating to the sale of intoxicating liquor in Ireland, shall close their respective houses or places at any time and for so long as the Watch Committee shall direct. Any person failing to comply with such order shall be guilty of an offence against this Act. 20 25

(3.) The Watch Committee may prohibit or regulate the playing of any music in the streets, and the erection of any arches, and the lighting of any bonfires, or the making of any other display calculated in the opinion of the committee to lead to a riot. 30

The Watch Committee may prescribe the route to be followed by any funeral procession, or any other procession not prohibited by them, and may limit the hours within which funeral and other processions may lawfully take place.

(4.) Any person failing to comply with an order of the Watch Committee made for the purposes of this section, shall be guilty of an offence against this Act. 35

Compensation
for
injuries to
person or
property.

5. Where it shall appear that after the passing of this Act any person has been killed or maimed or injured in his person, or that any property has been injured, stolen, or destroyed, by any persons riotously and tumultuously assembled together in the borough of Belfast, such compensation as the Watch Committee think just 40

shall be paid to the personal representative of the person killed, or to the person maimed or injured in his person, or to any person who has sustained loss by such injury, stealing, or destruction; but in fixing the amount of such compensation regard shall be had to the conduct, in the case of a homicide of the person killed, and in other cases of the applicant, whether as respects the precautions taken by him or as respects his being a party or accessory to such riotous or tumultuous assembly, or as regards any provocation offered to the persons assembled or otherwise.

10 A claim, in the case of a homicide, shall be for the benefit of the wife, husband, parent, and child, of the person killed, and shall be for the pecuniary loss occasioned by such homicide.

6.—(1.) Claims for compensation under this Act shall be made to the Watch Committee, and the Watch Committee shall inquire on oath, which they are for this purpose empowered to administer, into the truth thereof, and shall, if satisfied, fix such compensation as appears to them just.

(2.) The Watch Committee shall with all convenient speed make, with the approval of the Lord Lieutenant, and may from time to time, with the like approval, revoke and vary, regulations respecting the time, manner, and conditions within, in, and under which claims for compensation under this Act are to be made, and all claims not made in accordance with such regulations may be thereby excluded. Such regulations may also provide for the particulars to be stated in any claim, and for the verification of any claim, and of any facts incidental thereto, by statutory declarations, production of books, vouchers, and documents, entry of premises, and otherwise, and for the Watch Committee obtaining information and assistance for determining the said claims.

30 (3.) The Watch Committee shall cause the said regulations to be published in their district, and copies thereof to be at all times sold to any applicant at a price not exceeding sixpence for each copy.

7.—(1.) Where a claim to compensation has been made in accordance with the regulations, and the applicant is aggrieved by the refusal or failure of the Watch Committee to fix compensation upon such claim, or by the amount of compensation fixed, or in case any ratepayer, chargeable with any of the moneys awarded, shall be desirous of opposing such award of compensation, such applicant or ratepayer may appeal to one of the going judges of assize at the next assizes for the county of Antrim, held not sooner

A.D. 1887.

Mode of
awarding
compensation.

Right of
appeal.

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The judge shall inquire into the application, and shall make such order as in his opinion the Watch Committee ought to have made, and may award such sum for costs, to be paid by or to the appellant, 5 as he thinks just.

No compensation shall be awarded by the Corporation for any malicious injury to property occurring after the passing of this Act, for which compensation might be awarded by the Watch Committee.

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As to claimants in the case of churches, public institutions, &c.

8. For the purposes of this Act—

(a.) where a church or chapel has been injured or destroyed, or any property therein has been injured, stolen, or destroyed, the churchwardens or chapelwardens, if any, or, if there are none, the persons having the management of such church or chapel, 15 or the persons in whom the legal estate in the same is vested; and

(b.) where a school, hospital, public institution, or public building, has been injured or destroyed, or any property therein has been injured, stolen, or destroyed, the persons having the control 20 of such school, hospital, institution, or building, or the persons in whom the legal estate in the same is vested;

shall be deemed to be the persons who have sustained loss from such injury, stealing, or destruction, and claims may be made by any one or more of such persons in relation both to the building and to 25 the property therein, and payment to any such claimant shall discharge the liability of the Watch Committee to pay compensation, but shall be without prejudice to the right of any person to recover the compensation from such payee.

Funds for the purposes of the Watch Committee, 8 & 9 Vict. c. cxlii. 25 & 26 Vict. c. clxxxii.

9. The Corporation of Belfast shall, from time to time, provide 30 out of the general purposes rate such sums as may be certified to them by the Watch Committee to be necessary for the salary of their clerk, and for office expenses, and for compensation awarded to applicants under this Act, and for legal expenses.

The enactments of the Belfast Improvement Act of 1845, and of 35 the County Antrim and Belfast Borough Act, 1865, as amended by any Act or Acts, relative to the general purposes rate, shall be extended and shall apply to the purposes of this Act; and if in any year the amount required to be paid by the Corporation to the Watch Committee for compensation awarded by the Watch Com- 40 mittee to applicants under this Act exceeds one thousand pounds,

the provisions of the forty-fifth and subsequent sections of the last-mentioned Act of 1865 relative to the special rate therein mentioned shall apply.

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10. A person guilty of an offence against this Act may be prosecuted before a court of summary jurisdiction, and shall be liable on conviction to imprisonment with or without hard labour for a term not exceeding *six months*.

Procedure
for offence
against Act

11. If two police magistrates are appointed under this Act, the Lord Lieutenant may by order divide the borough into two districts for petty sessions purposes.

Petty sessions
districts.
Deputy of
magistrate.

A police magistrate, with the approval of the Lord Lieutenant, may appoint a deputy, being a practising barrister of seven years' standing, to act for him for any time not exceeding six weeks in any consecutive period of twelve months; and in case of sickness or unavoidable absence, he may, with the like approval, appoint a deputy qualified as aforesaid for any period not exceeding three months at one time; every such deputy shall take the oath required by law to be taken by justices of the peace, and shall during the time for which he shall be appointed, have all the powers and perform all the duties of the police magistrate for whom he has been appointed. There shall be paid to such deputy by the police magistrate at his own charge, such sum by way of remuneration as the Lord Lieutenant shall direct.

12. The clerk of petty sessions of the district of Belfast at the time of the passing of this Act shall be clerk to the police magistrate or magistrates, and shall hold his office subject to the same conditions as at the passing of this Act, save that the police magistrate or magistrates shall be in place of the justices of the peace of the district.

Clerk to the
magistrate.

13. If the borough is divided into two districts for petty sessions purposes, unless the Lord Lieutenant orders that both such districts shall be served by one person as clerk, the police magistrates may nominate and appoint a second clerk of petty sessions.

Vacancies in the office of clerk shall be filled up from time to time by the police magistrate or magistrates, subject to the conditions of the Petty Sessions Clerk (Ireland) Act, 1858, and any Acts amending it, and the said Act and Acts, so far as is consistent with this Act, shall apply to the office of clerk of the police magistrate.

21 & 22 Vict.
c. 100.

14. In this Act, the expression "person" includes a body of persons, corporate or unincorporate.

Interpreta-
tion.

The expression "the Lord Lieutenant" includes other chief governor or governors of Ireland for the time being.

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Temporary
provisions.

14. In the year one thousand eight hundred and eighty-seven, the nominated members of the Watch Committee shall be nominated within two months after the passing of this Act, or as soon after as possible, on a day or days to be fixed by the Lord Lieutenant so far as regards members to be nominated by him, and by the town 5 council so far as regards members to be nominated by them.

As regards the nomination of members by justices, the clerk of petty sessions shall give notice to all the justices qualified to take part in the nomination of members of the Watch Committee of the holding of a meeting at some suitable time, within two months 10 after the passing of this Act, for that purpose. The justices present at such meeting may then proceed to nominate the members of the Watch Committee whom they are entitled to nominate, in such manner as they think fit; or may adjourn the proceedings; and may give such directions as they think fit for the time of holding 15 and the mode of summoning meetings for the same purpose in subsequent years; or if they omit to give such directions, meetings may be summoned in subsequent years at some suitable time to be appointed by a police magistrate of the borough.

The Watch Committee shall be deemed to be duly constituted 20 when the Lord Lieutenant has nominated any of the members to be nominated by him.

Short title.

15. This Act may be cited for all purposes as the Municipal Regulation (Belfast) Act, 1887.

Municipal Regulation
(Constabulary, &c.)
(Belfast).

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To amend the Acts relating to the Royal Irish Constabulary, and to make provision for the appointment of a Watch Committee in Belfast, and for other purposes in relation thereto.

(Presented and brought in by
Colonel King-Horham and Mr. Salter-
General for Ireland.)

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[Hall 291.]